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In the High Court of Punjab & Haryana at Chandigarh.

Date of decision : 2.3.2007.

Parmod Kumar .... Petitioner

vs

Kulwant Kaur .....Respondent.

Coram Hon'ble Ms. Justice Kiran Anand Lall.

Present: Mr.Suresh Goel,Advocate,for the petitioner.

*Kiran Anand Lall, J.*

The case of the respondent (plaintiff), before the trial court (as per plaint Annexure P1), was that the disputed plot, having an area of 200 sq. yards, is a part of khasra no.657. On his application, the court had appointed a local commissioner for the demarcation of plot "as per the averments made in the suit".

The petitioner has come up, in revision, against the order of appointment of local commissioner, stating that, in the facts and circumstances of the case, there is no need for the demarcation of the plot.

On being asked, during the course of arguments, as to whether the fact that the plot in question forms a part of khasra no.657 is disputed by the petitioner, learned counsel replied in the affirmative, and clarified that it, infact, bears khasra no.658, though, he also added, the petitioner had omitted to state so, in the written statement.

The parties are, thus, at dispute about the khasra number, of which the disputed plot forms a part. Therefore, nothing wrong can be

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found with the approach of the trial court, in directing the local commissioner to demarcate the suit plot, in order to find out as to whether it forms a part of khasra no.657 (as averred in the plaint), or not.

No merit.

Dismissed.

2.3.2007. (Kiran Anand Lall)
vs. Judge.